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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/190,993	11/12/1998	CRIS T. PALTENGHE	CITI0094-US	8143

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KILPATRICK STOCKTON LLP
607 14TH STREET, N.W.
WASHINGTON, DC 20005

EXAMINER

ABDI, KAMBIZ

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 08/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/190,993

Applicant(s)

PALTENGHE ET AL.

Examiner

Kambiz Abdi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

1. The prior office actions are incorporated herein by reference. In particular, the observations with respect to claim language, and response to previously presented arguments.

- Claim 14 is amended.
- Claims 1-13 and 22-24 are canceled.
- Claims 14-21 have been considered.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1 July 2005 has been entered.

Response to Arguments

3. Applicant's arguments filed 1 July 2005 have been fully considered but they are not persuasive. Based on the prior rejection and in light of the ruling by the Board of Patent Appeals and Interferences the combination of independent claim 14 and dependent claims 22-24 does not place the amended claim 14 in the condition for allowance. The combination of prior arts as they have been presented and combined by the previous office actions namely the final office action mailed on 15 June 2002 clearly discloses that Williams, Teicher, and Biffar references teach the combination of claims.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said

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subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Williams et al*, U.S. Patent No. 6,016,484 and Teicher, U.S. Patent No. 5,744,787 as applied to claim 14 above, and further in view of *Biffar*, U.S. Patent No. 5,903,880.

6. Claims 14-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Williams et al*, U.S. Patent No. 6,016,484 in view of *Teicher*, U.S. Patent No. 5,744,787, and further in view of *Biffar*, U.S. Patent No. 5,903,880.

7. As per claim 14, *Williams et al* discloses a virtual wallet system comprising a locally residing wallet portion, an external server residing wallet portion and further discloses exchanging first data from a local portion of the wallet into a point of sale device wherein the first data includes a transactional amount (See *Williams* Col. 11 lines 59-67; Col. 12, lines 46-50; Col. 12 line 66-Col. 13 line 17; Col. 14, lines 5-25; Col. 16, lines 34-54).

Williams et al further discloses wherein the external server residing portion includes a mirror of information contained on the locally residing wallet portion (See *Williams* Col. 11, lines 35-56).

Williams et al, however, fails to specifically disclose synchronization between the local and server portions of the wallet by receiving and storing at the server portion an electronic voucher indicative of the good purchased and receiving a request for the electronic voucher at the server portion and providing the good to a user. *Teicher* discloses a system and method for making purchases with an electronic wallet that includes a local wallet portion and an associated server portion at a financial institution and teaches receiving and storing at the server portion an electronic voucher indicative of the purchase and receiving a request for the electronic voucher at the server portion of the wallet (See *Teicher* Col. 7 line 60-Col. 8 line 3; Col. 8, lines 9-14; Col. 9, lines 21-30; Col. 10, lines 3-8 and 15-32) and providing the good to a user upon receipt of the electronic voucher (See *Teicher* Col. 11, lines 57-65). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of

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Williams et al and include the steps of synchronizing the local and server portions of the electronic wallet as taught by *Teicher* so that central accounts associated with the local electronic wallet can be debited for purchases made off-line with the local electronic wallet.

Additionally, *Williams et al* and *Teicher* fail to specifically disclose wherein the external server residing portion includes applications and the locally residing wallet portion comprises connectors to the applications that reside on the external server residing portion. *Biffar* discloses a system that creates and transfers digital vouchers and includes remote devices such as smart cards and a central server system (See *Biffar* Col. 6, lines 33-39 and Col. 8, lines 18-40). *Biffar* also discloses that the remote devices include a memory portion for storing vouchers or the user can store some or all of the user's vouchers in an account on an external server (See *Biffar* Col. 8, lines 60-67) and the user has the capability to establish contact with the external server and utilize applications to perform a number of different functions regarding the accounts (See *Biffar* Col. 8, lines 1-18 and Col. 8 line 64-Col. 9 line 34). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the external server application features taught by *Biffar* into the system of *Williams et al* and *Teicher* as this feature would enable the user to manage wallet information stored on the external server.

8. As per claims 15-20, *Williams et al* further discloses wherein the wallet includes payment mechanisms such as bank account information, electronic currency, credit card and debit card information (Col. 15, lines 32-49); identity authentication mechanisms such as personal identification information and authentication information including certificates (Col. 15, lines 32-67 and Col. 37 lines 45-63); and wherein personal information comprises name and address information (Figures 15 and 29).

9. As per claim 21, *Williams et al* further discloses a virtual wallet system wherein the electronic artifacts include loyalty programs and coupons (Col. 19, lines 50-55).

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Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

Conclusion

10. The prior art previously made of record and not relied upon is considered pertinent to applicant's disclosure.

- Hayashida discloses an electronic cashless system comprising a cashless medium and an associated bank center account that allows a consumer to purchase goods with the cashless medium at a merchant facility wherein the merchant redeems the cashless credits from the bank center
- Demers et al disclose a method for verifying electronic payments through the use of smart cards wherein the customers bank account is debited and the merchants bank account is credited to pay for the purchases by the consumer
- Kasai et al disclose electronic money holding devices for allowing consumers to make payments for purchases electronically
- Bitoh discloses an IC card system in which either an on-line transaction or an off-line transaction can be made
- Gutman et al discloses an electronic wallet including a memory for storing a balance that corresponds to an account in a financial institution
- Pitroda discloses universal electronic transaction card capable of serving as a number of different credit cards, bank cards, ID cards, employee cards, etc. and is linked to a mainframe computer which stores customer account information

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- Chen et al discloses a cyber wallet in the form of stored account information on a smart card and includes multiple credit cards with multiple issuers in a convenient package designed to enable the owner to make purchases over the Internet
- Carlisle et al discloses a system and method wherein consumers may purchase items by debiting any of a plurality of accounts stored on a smart card
- Williams et al [5,815,657] discloses an electronic monetary system for transactions utilizing an electronic wallet or purse used for storing money, credit cards and other forms of payment
- Jonstromer discloses an electronic transaction terminal for use in conduction financial transactions using an electronic wallet in the form of a smart card and a communications module.

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the examiner should be directed to **Kambiz Abdi** whose telephone number is **(571) 272-6702**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James Trammell** can be reached at **(571) 272-6712**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see

<http://portal.uspto.gov/external/portal/pair>

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks
Washington, D.C. 20231**

or faxed to:

(571) 273-8300 [Official communications; including After Final communications labeled "Box AF"]

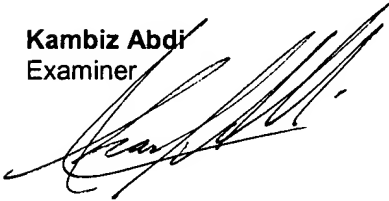
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(571) 273-6702 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the Examiner in the

Knox Building, 50 Dulany St. Alexandria, VA.

Kambiz Abdi
Examiner

A handwritten signature in black ink, appearing to read 'Kambiz Abdi', written over the printed name and title.

August 29, 2005